

## REMARKS

### Introduction

Claims 1-37 are pending in this case.

The Examiner has rejected claims 1-4, 6-9, 12-17, 19-22, 25-30, and 32-37 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie et al. U.S. Patent 5,850,218 (hereinafter "LaJoie") in view of Lawler et al. U.S. Patent 5,907,323 (hereinafter "Lawler"). The Examiner has rejected claims 5, 18, and 31 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie in view of Lawler and Alten et al. U.S. Patent Application Publication No. 2002/004993 (hereinafter "Alten"). The Examiner has rejected claims 10, 11, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie in view of Lawler and Shoff et al. U.S. Patent Application Publication No. 2001/0001160 (hereinafter "Shoff").

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

### Amendments to The Claims

Applicants have amended claims 1, 14, and 27 to more particularly define applicants' claimed invention. Applicants have amended claims 30, 34, and 35 to conform with the independent claims and to correct typographical errors. No

new matter has been added and the amendments are fully supported by the applicants' original specification.

The Examiner's § 103 Rejection Over LaJoie and Lawler

The Examiner has rejected claims 1-4, 6-9, 12-17, 19-22, 25-30, and 32-37 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie in view of Lawler. The Examiner's rejection is respectfully traversed.

Applicants' amended independent claims 1, 14, and 27 relate to systems and methods for navigating about an on screen television interactive program guide. Program listings for a plurality of currently broadcast television programs are displayed in a first area of the screen. A television program is simultaneously displayed in a second area of the screen. A display function is activated and, responsive to a first state of the activated display function, the display of the television program in the second area is maintained regardless of user navigation through the displayed program listings. The interactive program guide enables switching between the first state and a second state of the activated display function, wherein a currently broadcast television program corresponding to a television program listing selected in the first area is displayed in the second area of the screen.

Applicants submit that independent claims 1, 14, and 27 are patentable because the Examiner has failed to

provide the proper motivation to combine the references and because even the Examiner's proposed combination of LaJoie with Lawler fails to show or suggest an interactive program guide having a display function with two interchangeable display states. To the contrary, applicants submit that both LaJoie and Lawler refer to interactive program guides in which a display function possesses only a single, static display state (i.e., there is no ability in either LaJoie or Lawler to switch between multiple display states of a single activated display function).

LaJoie refers to an interactive program guide display in which a program viewing window 340 displays a reduced size display of the television program being viewed prior to entering the program guide (LaJoie, FIG. 16; col. 23, lines 56-59).

The Examiner refers to program viewing window 340 of LaJoie, which may display "the program being viewed prior to entering the interactive program guide, a program selected from the interactive program guide, or a program selected at the headend" (LaJoie, col. 6, lines 56-60), as a suggestion that "the program in the viewing window . . . can be changed by activating a second function" (Office Action, page 3, lines 13-17). Contrary to the Examiner's contention, applicants submit that the passage referred to by the Examiner merely lists parallel examples of the content that may be

displayed in the program viewing window in separate mode screens (i.e., different display functions) of the LaJoie interactive program guide. In fact, there is no showing or suggestion in LaJoie that the program viewing window is capable of multiple, interchangeable display states in a single activated display function (i.e., on a single screen). Therefore, LaJoie fails to provide any motivation or suggestion for one of ordinary skill in the art to modify its program viewing window to add a second display state that can be switched with the first display state.

Lawler refers to an interactive program guide in which a program summary panel 80 is displayed for programming identified in a program tile 88 on which a viewer has focused (i.e., by moving a cursor over the program tile). The program summary panel 80 includes a preview display window 94, which may display the programming as it is being broadcast.

(Lawler, FIGS. 3A-B; col. 5, lines 12-49.)

While Lawler may refer to a preview display window that tracks the programming focused on by a viewer, applicants submit that Lawler similarly fails to show or suggest that the preview display window has multiple, distinct and interchangeable display states. Therefore, in view of the fact that both LaJoie and Lawler fail to even contemplate a single activated display function with two distinct and interchangeable display states, even the Examiner's proposed

combination of LaJoie with Lawler fails to show or suggest switching between 1) a first state of the activated display function wherein the display of the television program is maintained in the second area regardless of user navigation through the displayed program listings, and 2) a second state of the activated display function wherein a currently broadcast television program corresponding to a selected program listing is displayed in the second area, as required by applicants' independent claims 1, 14, and 27 (emphasis added).

Accordingly, applicants respectfully submit that independent claims 1, 14, and 27 are now in condition for allowance. Claims 2-4, 6-9, 12, 13, 15-17, 19-22, 25, 26, 28-30, and 32-37, which depend from one of independent claims 1, 14, and 27, are also in condition for allowance.

#### The Examiner's Other § 103 Rejections

The Examiner has rejected claims 5, 18, and 31 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie in view of Lawler and Alten. The Examiner has rejected claims 10, 11, 23, and 24 under 35 U.S.C. § 103(a) as being unpatentable over LaJoie in view of Lawler and Shoff. The Examiner's rejections are respectfully traversed.

Claims 5, 10, 11, 18, 23, 24, and 31, which depend from one of independent claims 1, 14, and 27, are patentable

at least because claims 1, 14, and 27 are patentable as shown from the foregoing.

Conclusion

Applicants submit that this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

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